

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 CHARLES STEVENS, No. C 9-137 WHA
11 Petitioner, DEATH PENALTY CASE
12 v.
13 RON DAVIS, Warden,
14 Respondent.

**ORDER SETTING BRIEFING ON
PROCEDURAL DEFAULT ISSUES**

16 The Court is in receipt of petitioner's Limited Traverse to respondent's Answer to
17 petitioner's Petition for Writ of Habeas Corpus. The Court notes that respondent raises
18 allegations of procedural default in the Answer, which petitioner denies in the Traverse.

19 Respondent is directed to file any motion based on procedural default defenses by
20 January 22, 2015. Petitioner's opposition to any such motion will be due by February 5, 2015,
21 and the optional reply will be due no later than February 12, 2015.

22 If respondent does not intend to file a motion based on procedural default defenses, he
23 shall notify the Court in writing no later than January 12, 2015. A further scheduling order
24 shall issue at that time.

25 **IT IS SO ORDERED.**

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27 Dated: January 5, 2015.

Wm Als
28 WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE